IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTIION

Writ Petition No. 8725 of 2007

Mrs.Kabra Sushma Balkrishna ..Petitioner

vs.

1. Vishwas Cooperative Bank Ltd.
and others ..Respondents

Mr.Venkata Krishna i/b M/s Kunduru and Kunduru for petitioner.
Shri Y.R.Naik for respondent no.1.

CORAM: S.C.DHARMADHIKARI J.
30th **NOVEMBER, 2007**

P.C.

1. After this matter was argued for some time, attention of the learned Counsel for the petitioner was invited to the fact that alternate equally efficacious remedy is available to the petitioner to challenge the Recovery certificate. Upon instructions, learned Counsel makes a statement that, without prejudice to the rights and contentions of the petitioners, he would pay to the Bank 50% of the sum under recovery certificate within a period of four weeks from today. Shri Naik states that if the amount is being offered he would advice his client not to adopt any coercive measures during this period.

2. Needless to state that if the amount is not

paid, this petition would stand dismissed withsout further reference to Court and the Bank would also be at liberty to take such proceedings as are permissible under law to recover the amount under the recovery certificate. The learned Counsel also states that within this period the petitioner would file the revision application before the Revisional Authority as well. In such circumstances, this petition need not be kept pending. Petition is disposed of. All contentions on merits are kept open.

(S.C.DHARMADHIKARI J.)